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2 IN THE UNITED STATES DISTRICT COURT

3 FOR THE DISTRICT OF ARIZONA

4 IN RE BARD IVC FILTERS PRODUCTS AMENDED

5 LIABILITY LITIGATION No. 2:15-MD-02641-DGC

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7 **SECOND AMENDED MASTER
SHORT FORM COMPLAINT FOR
DAMAGES FOR INDIVIDUAL
CLAIMS AND DEMAND FOR JURY
TRIAL**

8 Plaintiff(s) named below, for their Complaint against Defendants named below,
9 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

10 Plaintiff(s) further show the Court as follows:

11 1. Plaintiff/Deceased Party:

12 _____

13 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
14 consortium claim:

15 _____

16 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
17 conservator):

18 _____

19 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence
20 at the time of implant:

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4 6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

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9 8. Defendants (check Defendants against whom Complaint is made):

10 C.R. Bard Inc.

11 Bard Peripheral Vascular, Inc.

12 || 9. Basis of Jurisdiction:

13 || Diversity of Citizenship

14 || Other:

17 Plaintiff is a citizen of the State of South Carolina, but she also maintains a
18 residence in the Southern District of Georgia where she resides for half of
19 the year. Plaintiff was implanted with Defendants' defective IVC filter in
20 the Southern District of Georgia, and she received most of her medical
21 treatment relating to the injuries caused by the Defendants' defective IVC
22 filter in the Southern District of Georgia.

1 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making
2 a claim (Check applicable Inferior Vena Cava Filter(s)):

3 Recovery® Vena Cava Filter
4 G2® Vena Cava Filter
5 G2® Express Vena Cava Filter
6 G2® X Vena Cava Filter
7 Eclipse® Vena Cava Filter
8 Meridian® Vena Cava Filter
9 Denali® Vena Cava Filter
10 Other: _____

11 11. Date of Implantation as to each product:
12 _____

13 12. Counts in the Master Complaint brought by Plaintiff(s):

14 Count I: Strict Products Liability – Manufacturing Defect
15 Count II: Strict Products Liability – Information Defect (Failure
16 to Warn)
17 Count III: Strict Products Liability – Design Defect
18 Count IV: Negligence – Design
19 Count V: Negligence – Manufacture
20 Count VI: Negligence – Failure to Recall/Retrofit
21 Count VII: Negligence – Failure to Warn
22 Count VIII: Negligent Misrepresentation

RESPECTFULLY SUBMITTED this _____ day of _____, _____.

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**BLASINGAME, BURCH, GARRARD &
ASHLEY, P.C.**

/s/ Henry G. Garrard, III

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Attorney for Plaintiff

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3 **CERTIFICATE OF SERVICE**

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I hereby certify that on this _____ day of _____, _____, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

7 */s/ Henry G. Garrard, III*

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